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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/711,850	11/13/2000	Raj Bridgelall	1000	8597

7590

04/01/2002

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EXAMINER

ST CYR, DANIEL

ART UNIT

PAPER NUMBER

2876

DATE MAILED: 04/01/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/711,850

Applicant(s)

BRIDGELALL, RAJ

Examiner

Daniel St.Cyr

Art Unit

2876

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 13 November 2000.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-19 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

### Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

## DETAILED ACTION

### *Claim Rejections - 35 USC § 102*

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1, 3-8, 10-15, and 17-19 are rejected under 35 U.S.C. 102(b) as being anticipated by VanHorn, US patent No. 5,773,954.

VanHorn discloses a data collection device comprising: a housing 12 supporting an interactive touch sensitive display screen 14, the interactive touch display screen 14 is mounted to be visible through an opening in an inclined front surface 20 of the housing 12, the display screen 14 is at a proper angle for easy viewing by a customer having his or her hands on a shopping cart handle 16; a dataform reading assembly including a hand held bar code dataform reader 22 is retractively tethered or attached to the housing 12 with an electrical cable 24. The cable 24 includes a plurality of conductors 140 for supplying power to the reader 22, coupling a signal 28 representing a bar code dataform 30 to a processor 32 mounted on a control and decoder printed circuit board 33 in the housing 12. The circuitry on the control and decoder board 33 and the dataform reader 22 comprise a dataform reading and decoding assembly. Including circuitry for operating the screen 14 and a panel 112 includes LCD driver circuitry 114 and contact panel driver circuitry 116. Additionally, the circuitry 114, 116 for operating the LCD display and contact panels 110, 112 may, at least in part, be implemented in software stored in the memory 106 and executed by the processor 32. a spread spectrum radio communications

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circuitry 118 may be embodied in one or more IC chips mounted on the printed circuit board 33, the spread spectrum communications circuitry 18 is implemented on a separate printed circuit board with a PCMCIA interface and secured to the printed circuit board 102 through a PCMCIA standard slot interface. An antenna lead 122 connects the communications circuitry to an antenna mast 124 extending through an opening in the upper surface 125 of the housing 12, the antenna mast is disposed inside the housing. The communications circuitry 118 includes a radio frequency (rf) radio transceiver module which communicates decoded bar code data to a host computer 1260 utilizing a spread spectrum cellular radio network. The decoded data includes a product identifier encoded in the items dataform. In turn the transceiver module receives data relating to the item from the host computer 1260, e.g., a product name or description for the item, the price of the item, etc. (see col. 5, line 50+, col. 7, line 50+; figures 1-5).

***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 2, 9, and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over VanHorn in view of Dvorkis et al, US patent no. 5,705,800. The teachings of VanHorn have been discussed above.

VanHorn fails to disclose or fairly suggests a support having a form factor occupying a space for an SE 1200 scan engine.

Dvorkis et al disclose a laser scanner system for controlling the optical scanning of bar code comprising: a bar code scanner having a form factor that occupies by a scan engine 1200 (see col. 14, line 8+).

In view of Dvorkis et al's teachings, it would have been obvious for a person of ordinary skill in the art at the time the invention was made to modify the support system VanHorn to accommodate a scan engine 1200 for providing more flexibility in the system. Such modification would facilitate a more compact design which would enable the system to operate more effectively. Therefore, it would have been an obvious extension as taught by VanHorn.

#### *Conclusion*

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Swartz et al, US patent No. 6,102,290, disclose a self-checkout point-of- transaction system including deactivatable electro-optically coded surveillance tags. Jelen et al, US patent No. 6,129,276, disclose a shopping cart mounted portable data collection device with tethered dataform reader.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Daniel St.Cyr whose telephone number is 703-305-2656. The examiner can normally be reached on Mon-Fri.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael G Lee can be reached on 703-305-3503. The fax phone numbers for the organization where this application or proceeding is assigned are 703-308-7721 for regular communications and 703-308-7724 for After Final communications.

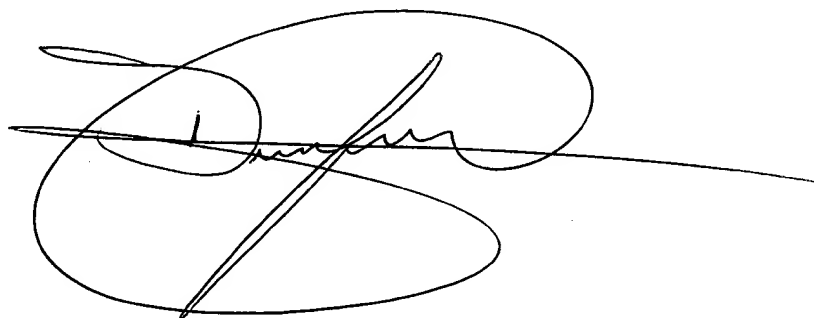
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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-0956.

Daniel St.Cyr  
Examiner  
Art Unit 2876

DS

March 24, 2002

A handwritten signature in black ink, appearing to read 'Daniel St. Cyr', is written over a large, loopy, oval-shaped scribble. The signature is fluid and cursive, with a long horizontal line extending to the right.